

REMARKS

By this Amendment, claims 1-4, 6, 7, 9, 10, and 13 are amended, and new claims 17 and 18 are added. Accordingly, claims 1-4, 6-11, and 13-18 are pending in this application. No new matter is added.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Diaz in the November 15, 2005, personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

Claims 1, 3, 4, 6-11, and 13-16 are rejected under 35 U.S.C. §112, second paragraph. The rejection is respectfully traversed.

At the interview, Applicants' representative and the Examiner discussed how to overcome the §112 rejection. As discussed, the amendments to the claims overcome the §112 rejection. It is respectfully submitted that the amendments are for proper antecedent basis and clarity only, and that the claims are not narrowed by such amendments. For example, claims 1, 6-7, 9-10, and 13 are amended to clarify that an "executive element" is an individual task, i.e., activity, of plural tasks, i.e., activities, that are include in a project and a candidate executive element is an activity, i.e., task, to accomplish the classified executive element, i.e., the individually defined activity of a project, the candidate executive element being selected based on the classification of the executive element (Fig. 2).

As discussed at the interview, the use of the term "means for" is expressly authorized under 35 U.S.C. §112, sixth paragraph, and there is no requirement under the law that the specification explicitly utilize the term "means" to identify specific structural elements. As the MPEP §2181 III. states, if the corresponding structure, material or acts are described in the specification in specific terms and one skilled in the art could identify the structure, material or acts from that description, then the requirements of 35 U.S.C. §112, second and sixth paragraphs are satisfied. See *Amtel*, 198 F.3d 1382, 53 USPQ2d 1231. The

corresponding structure to the term "means for" is described in the specification. As discussed at the interview, for example, the executive element management means corresponds to the control unit 11 (Fig. 1). The control unit 11 processes a request inputted by the user. Also, for example, the selecting means for selecting a candidate element corresponds to the searching processor 33 of the control unit 11, which searches for an activity matching the request. The structural elements are clearly shown in Fig. 1 and, as discussed at the interview, are clearly described in the specification. Accordingly, structural elements are disclosed for performing the associated functions that follow the "means for" language in the claims. Although it is not necessary to amend the claims in response to the Office Action rejection of the use of "means for" language, Applicants have done so in the interest of furthering prosecution.

Similarly, as discussed at the interview, the managing of the executive elements is, for example, describe in the operation of the element organization support apparatus (Figs, 12-13). As discussed at the interview, the managing of the classified executive elements is not a passive process, but is an active process and the scope is clearly defined in the specification and drawings. The Examiner is respectfully reminded that words of a claim must be given their "plain meaning" unless they are defined in the specification (see MPEP §2111.01). Those skilled in the art would understand what is claimed when the claims are read in light of the specification.

Therefore, it is respectfully submitted that claims 1, 3, 4, 6-11, and 13-16 are definite and fully comply with 35 U.S.C. §112. Accordingly, withdrawal of the rejection under 35 U.S.C. §112 is respectfully requested.

Claims 1, 3, 4, 6-11, and 13-16 are rejected under 35 U.S.C. §102(e) over Stuart, U.S. Patent No. 6,466,935. The rejection is respectfully traversed.

At the interview, Applicants' representative discussed the differences between the features as recited in claims 1, 3, 4, 6-11, and 13-16 and the disclosure of Stuart. In particular, Stuart fails to disclose the features of a control unit that classifies executive elements that indicate activities to carry out a task into processible tasks and manages the classified executive elements; and selects a candidate executive element that can process a task of a project that includes plural tasks, the selecting being based on the classification, as recited in claim 1 and, similarly recited in claim 6.

Stuart also fails to disclose classifying plural executive elements that indicate activities to carry out a task constituting various services into processible tasks in advance and managing the classified executive elements, each of the executive elements including at least one of human and physical elements; receiving a request for organizing, for the accomplishment of a specific service asked by a customer; analyzing, by a processor, as instructed by the customer, a task required for the specific service; and selecting by a processor from the executive elements classified and managed, on the basis of the result of the analysis, a candidate executive element for executing the task required for the specific service, the selecting being based on the classification, as recited in claim 7.

In addition, Stuart fails to disclose classifying by the processor the executive elements into processible tasks in advance and managing the classified executive elements; and searching by the processor the executive elements classified and managed for a candidate executive element to execute a task of a project that includes plural tasks and selecting the candidate executive element from the executive elements classified and managed that can process the task, the selecting being based on the classification, as recited in claim 9.

Stuart also fails to disclose a first module for classifying the executive elements into processible tasks in advance and managing the classified executive elements; and a second module for searching the executive elements classified and managed for a candidate executive

element that can process a task of a project that includes plural tasks and selecting the candidate executive element from the executive elements classified and managed, the selecting being based on the classification, as recited in claim 10.

Stuart further fails to disclose a database server for classifying data pieces regarding plural executive elements that indicate activities to carry out a task constituting various services into processible tasks, and managing the executive elements, the data pieces regarding executive elements including at least one of human and physical elements; a reception server for receiving a request for preparation of organization of executive elements for processing a specific service asked by a customer; and an analysis server for analyzing a task required for the specific service as instructed by the customer, and selecting from the database server, on the basis of the result of the analysis, a data piece regarding a candidate executive element for executing the task required for the specific service, the selecting being based on the classification, as recited in claim 13.

The Office Actions asserts that Stuart's executive elements, i.e., print jobs that are classified into processible tasks and managed (Fig. 6; col. 6, lines 1-6), correspond to Applicants' executive elements, and that Stuart's candidate executive element, i.e., a device that can handle each required task (col. 6, lines 3-5, which states that specific devices can be called upon for a given print job), corresponds to Applicants' candidate executive element. However, Stuart's workflow management system, as admitted by the Office Action, is based on an activity and the selection of a device to carry out that activity. In other words, Stuart matches an activity, i.e., printing job, to a device, i.e., printer, to print the print job. The selection of a device (a printer) is not a selection of a task. A task is an activity that needs to be performed. All Stuart does is select a device, the printer, to carry out the activity, the printing of a document. Thus, Stuart fails to disclose the features as recited in claims 1, 6, 7, 9, 10, and 13.

As discussed at the interview, the Office Action improperly defines the "executive elements" and the "candidate executive elements" of Stuart inconsistently, both internally and with respect to the language of the claims. The Office Action identifies print jobs as executive elements, but ignores this to identify devices as candidate executive elements rather than candidate print jobs, which would be internally consistent. Further, the language of the claims makes clear, as discussed above, that executive elements are activities, not devices. Thus, the Office Action improperly ignores the meaning of each claim as a whole to redefine terms to read on the teachings of Stuart.

As discussed at the interview, Stuart has a print manager that manages the printing jobs (col. 5, line 65-col. 6, line 4). However, selecting a particular printer to print the print jobs stored in the data center is not the selection of a candidate executive element, i.e., an activity, but instead, is the selection of a physical device, i.e., the printer to print a particular print job. The fact that certain types of print jobs (tasks) require the use of certain printers (devices) does not change the fact that a physical device (printer) is selected to print a print job. This is, however, not selecting an activity. Further, regardless of whether the system needs to know which printers have been selected to print the job, the system is still performing the operation of managing the print jobs and correlating those print jobs to particular printers. Thus, the system of Stuart selects a particular device to print a particular activity. Accordingly, Stuart only teaches the selection of a device to perform a particular task, and not a selection of an activity as claimed.

As Applicants describe at page 5, lines 10-15, since candidate executive elements are selected with processible tasks as keys irrespective of the context, there is no need to cause input/output relationships among executive elements ensuing from addition, deletion or modification of executive elements in any database to be reflected in other databases even though executive elements are managed in a decentralized way and plural databases, resulting

in efficient decentralized management (Fig. 2). Stuart fails to perform this function because Stuart is based on an input/output relationship of the various tasks in relation to the devices required to perform the tasks, such as a printing project. Therefore, Stuart fails to disclose the features as recited in claims 1, 6, 7, 9, 10, and 13.

As Applicants' describe, an advantage is that this way of managing executive elements classified into possible tasks and selecting candidate executive elements with processible tasks as keys makes it possible, when any new executive element is to be added, to select candidate executive elements for accomplishing a project irrespective of the contextual relationships of the tasks and to add the new executive element easily without having to accomplish processing to maintain the context (page 7, lines 10-15). Stuart fails to perform this function as recited in claims 1, 6, 7, 9, 10, and 13.

Because Stuart does not anticipate or suggest each and every feature of claims 1, 6, 7, 9, 10, and 13, Stuart cannot anticipate or suggest the subject matters of claims 2-4, 14-16, and added claims 17-18, which depend from claim 1, the subject matter of claim 8, which depends from claim 7, and the subject matter of claim 11, which depends from claim 10, at least for the reasons discussed with respect to claims 1, 6, 7, and 10 and for the additional features recited therein. Thus, the pending claims are patentable over Stuart.

Rejoinder of claim 2 upon allowance of claim 1 is respectfully requested because claim 2 depends from claim 1 and claim 1 is generic to claim 2. Thus, claim 2 would be allowable for the same reasons that claim 1 is allowable.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-4, 6-11 and 13-18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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